

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Attorney Docket No. 13469US03)**

In the Application of:

Oscar E. Agazzi, et al.

Serial No. 10/772,079

Filed: February 3, 2004

For: DEMODULATOR FOR A MULTI-PAIR  
GIGABIT TRANSCEIVER

Examiner: Jean B. Corrielus

Group Art Unit: 2611

Confirmation No. 4537

**Electronically filed on November 3,  
2008**

**PRE-APPEAL BRIEF REQUEST FOR REVIEW**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Applicant requests review of the final rejection in the above-identified application, stated in the final Office Action mailed on June 2, 2008 (hereinafter, the Final Office Action). No amendments are being filed with this request.

This request is being filed with a Notice of Appeal. The review is being requested for the reasons stated on the attached sheets.

**REMARKS**

The present application includes pending claims 1-3, 7, 11, 17-19, 23 and 27, all of which have been rejected. Claims 1, 2, 7, 11, 17, 18, 23 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Aly, et al., U.S. Patent 4,995,031, in view of Kobayashi, et al., U.S. Patent 5,809,071. Regarding independent claims 1 and 17, the Applicant argued in the previous Amendment, filed on April 28, 2008, that the cited art fails to teach a feedforward equalizer having a noise cancellation stage that is situated before the gain stage of the feedforward equalizer. In the Office Action dated June 2, 2008, the Examiner responded by asserting that such limitation is not recited in claims 1 and 17. Applicant disagrees. For example, claim 1 indicates that the noise cancellation stage is operable “produce a noise-reduced filtered signal.” Claim 1 further indicates that the gain stage is “operable to receive the noise-reduced filtered signal and to adjust the gain of the feedforward equalizer by adjusting the amplitude of the noise-reduced filtered signal.” This wording clearly indicates that the gain stage receives an output from the noise cancellation stage. This arrangement is not taught by the cited art. Applicant therefore requests withdrawal of the rejection and allowance of the claims.

The Applicant respectfully submits that claims 1-3, 7, 11, 17-19, 23 and 27 of the present application should be in condition for allowance at least for the reasons discussed above and request that the outstanding rejections be reconsidered and withdrawn. The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Respectfully submitted,

Date: November 3, 2008  
By:   
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